SEXUAL ASSAULT, SEXUAL HARASSMENT, STALKING OR RELATIONSHIP VIOLENCE POLICY

Syracuse University is committed to the maintenance of an environment which is supportive of its primary educational mission and free from all exploitation and intimidation. The University does not tolerate rape, sexual assault, domestic or dating violence, stalking, sexual coercion and non-contact sexual abuse such as voyeurism, and sexual exploitation or other forms of sexual violence or non-consensual sexual activity. Prohibited behaviors include:

1. Harassment is intentional, unwanted and unwelcome words or conduct directed at a specific person that alarms, threatens or causes fear for that person. Sexual harassment is a form of sexual discrimination. It is unwelcome behavior of a sexual nature that relates to the gender or sexual identity of an individual. It has the purpose or effect of creating an intimidating or hostile environment. Sexual harassment includes a full range of coercive and unwelcome behaviors, such as unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, including rape and other forms of sexual assault, sexual coercion and non-contact sexual abuse such as voyeurism and sexual exploitation.

2. Sexual assault is any actual or attempted sexual activity without consent including, but not limited to: sexual intercourse or sexual touching committed with coercion, threat, or intimidation, with or without physical force; exhibitionism or sexual language of a threatening nature by a person(s) known or unknown to the victim. Forcible touching, a form of sexual assault, which is defined as intentionally and for no legitimate purpose forcibly touching the sexual or other intimate parts of another person for the purpose of degrading or abusing such person or for gratifying sexual desires. Intoxication of the accused cannot be used as a defense to an alleged incident involving sexual assault.

3. Rape, which is defined as sexual intercourse without consent, committed with or without physical force, coercion, threat, or intimidation, actual or implied, by a person(s) known or unknown to the victim. Sexual intercourse can involve anal, oral, or vaginal penetration, no matter how slight.

4. Stalking, which is defined as intentionally and for no legitimate purpose engaging in a course of conduct directed at a person knowing (or should reasonably know) that such conduct is likely to cause reasonable fear of material harm or does cause substantial harm to the other person or that person’s family or another party of their acquaintance. This includes cyber stalking—using technology to stalk another person.

5. Relationship or dating violence and domestic violence, which are patterns of behavior in which an individual uses physical violence, coercion, threats, intimidation, isolation or other forms of emotional, sexual, verbal, and/or economic abuse to control their current or former intimate partner.

6. It is against University policy to retaliate against a person, either directly or via a third party, for making a complaint of sexual violence or any kind of harassment or discrimination.
Definition of Consent

Affirmative consent is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given, but withdrawn at any time. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.

Amnesty for Reporting Individuals

The health and safety of every student at Syracuse University is of utmost importance. Syracuse University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including, but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences of their own conduct. Syracuse University strongly encourages students to report domestic violence, dating violence, stalking or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, rape, or sexual assault to Syracuse University’s officials or law enforcement will not be subject to Syracuse University’s Code of Student Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, rape, or sexual assault.

If You Experience Sexual or Relationship Violence...

For 24/7 privileged support, advocacy, and to discuss your reporting options:
>>> Sexual and Relationship Violence Response Team at the Counseling Center, (315) 443-4715

Should a student impacted by rape, sexual assault, relationship violence, sexual harassment, or stalking choose to file a formal complaint, the following resources are available for reporting:
>>> Department of Public Safety, 005 Sims Hall, (315) 443-2224
>>> Title IX Coordinator, 005 Steele Hall, (315) 443-0211
>>> Syracuse Police Department, 511 South State Street, (315) 435-3016
>>> New York State Police, 24-hour dedicated hotline, 1 (844) 845-7269

In addition, anonymous reporting is available:
>>> “TIPS” at (315) 443-TIPS (8477) or publicsafety.syr.edu